

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

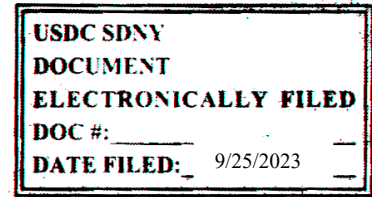
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JOHN SNELLINGER,

Plaintiff,

19-cv-6574

-against-

BAYVIEW LOAN SERVICING, LLC et.al.,
Defendants.
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ORDER

VICTORIA REZNIK, United States Magistrate Judge:

This second Order addresses the continued failure of Ramchand Deoki (a/k/a Ramchand Deioki) and Sandhya Deoki (a/k/a Sandhya Deioki) to comply with a subpoena and Court Order for their depositions and documents. As explained below, failure to comply with this second Order will result in a scheduled hearing at which Ramchand and Sandhya Deoki will be required to show cause why they should not be held in contempt of court.

On April 10, 2023, a subpoena was served for Ramchand Deoki to testify at a deposition on April 25, 2023, and to bring with him certain documentation. (ECF No. 152-1). Mr. Deoki did not appear for this deposition and did not contact Defendants' counsel to reschedule. (ECF No. 150, 152). On June 30, 2023, a subpoena was served on Sandhya Deoki (a/k/a Sandhya Deioki) calling for her to testify at a July 19, 2023, deposition and to bring with her certain documentation. (ECF No. 152-1). Ms. Deoki did not appear for this deposition and did not contact Defendants' counsel to reschedule. (ECF No. 150, 152).

To address the failures of Mr. and Ms. Deoki to appear for depositions and provide documents, on August 15, 2023, this Court ordered the Deokis to comply with the above-referenced subpoenas. On August 25, 2023, a copy of this Order was served on Sandhya Deoki. On August 25 and 26, 2023, copies of this Order were affixed to Ramchand Deoki's

door at 29 Drago Lane Middletown, NY, 10940 and then subsequently mailed to that address on September 6, 2023. According to Defendants' counsel, Ramchand and Sandhya Deoki still have not made any attempts to comply with the subpoenas, as ordered by the Court. (ECF No. 157).

Accordingly, Ramchand and Sandhya Deoki are **ORDERED** (for a second and final time) to comply with the above-referenced subpoenas and Court Order. Ramchand and Sandhya Deoki are informed that failure to comply could result in their being found in contempt of court, which provides a basis for issuing monetary sanctions that would require them to pay reasonable attorney's fees and costs to Defendants. *Sprint Nextel Corp. v. Ace Wholesale*, 2014 U.S. Dist. LEXIS 125368, *2 (S.D.N.Y. 2014). Should Ramchand and Sandhya Deoki continue to fail to comply with the subpoenas, this Court will schedule a hearing at which Ramchand and Sandhya Deoki will be required to show cause why they should not be held in contempt of court.

To avoid the scheduling of such a hearing, Ramchand and Sandhya Deoki (and/or their legal representatives), can call Defendants' counsel, Robert H. King, at (212) 413-2887 to schedule the above-referenced depositions and otherwise comply with the subpoenas.

Defense counsel is directed to arrange in-person service of this Order on Ramchand and Sandhya Deoki and to file proof of service via ECF.

SO ORDERED.

DATED: White Plains, New York
September 25, 2023


VICTORIA REZNIK, USMJ